

To: Kluesner, Dave[kluesner.dave@epa.gov]
From: Judith S. Weis
Sent: Mon 3/25/2013 3:57:41 PM
Subject: Re: Star Ledger: 70 firms devise strategy to quash EPA's plans for Passaic River cleanup

This is really infuriating. Do all the NJ Environmental groups know about it? They could be an effective counter-force.

> http://www.nj.com/politics/index.ssf/2013/03/passaic_river_cleanup_epa_plan.html
> [nj.com]
> 70 firms devise strategy to quash EPA's plans for Passaic River cleanup
> By Ryan Hutchins/The Star-Ledger
> <<http://connect.nj.com/user/rhutchins/posts.html>>
> on March 24, 2013 at 8:35 AM
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> TRENTON<<http://www.nj.com/politics>> — It was January when the letters
> started showing up at the Environmental Protection Agency's regional
> office in Manhattan.
> First, the Hudson County executive sent one. A few weeks later, state Sen.
> Paul Sarlo wrote one. So did the mayor of Wallington. The words were the
> same, the letterhead different. The message was clear: We oppose all of
> your potential solutions for cleaning the highly contaminated Passaic
> River.
> The form letter was given to the officials by a group of 70 companies
> considered potentially responsible for pollution in the river. The
> corporations have agreed to cooperate to develop a plan for cleaning up
> the waterway, but they don't like the federal government's ideas, which
> all involved agree could cost these and other companies hundreds of
> millions more.
> The Star-Ledger has learned the companies have been courting public
> officials and local groups in an effort to generate support for their own
> less-costly cleanup project — one environmentalists and EPA administrators
> doubt would work.
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> And at the same private meetings where they pitch their solution for
> cleaning up the river, public relations specialists hired by the companies
> have also invited municipal officials and community leaders to apply for
> grants they are offering to fund improvement projects, according to
> several people who attended. At some of the meetings, grant applications
> were handed out, they said.
> "What (the companies) are doing is misleading because it's not a remedy
> that has sound science behind it, that has really been shown through
> modeling and science that it can be protective of human health," said
> Debbie Mans, the executive director of the NY/NJ Baykeeper. "They're
> putting pressure on elected officials and community groups to support this
> remedy — putting money into communities to bolster this support."
> Some communities where officials sent letters opposing the EPA's plan have
> received grants from the companies or are being considered for funding,
> according to copies of letters to the EPA and a list of grants provided to
> The Star-Ledger.
> Hudson County got \$50,000 to help update its open space, recreation and
> historic preservation plan. Wallington applied for but has not received a
> grant to fund debris removal and river access improvements. As a state

- > senator, Sarlo represents Lyndhurst and Rutherford, where the companies
- > have made grants totaling \$175,000.
- > In their letters to the EPA, the officials say they support the general
- > concept of the companies' plans while opposing what the federal agency is
- > considering.
- > Jonathan Jaffe, a spokesman for the corporations, said Mans' contention
- > that they are crossing a line by offering grants in their pitch to oppose
- > the EPA plan is "a mischaracterization."
- > Jaffe said the companies have a team of scientists who believe their
- > solution is better than the ones considered by the EPA. He said there's no
- > quid pro quo — groups that refused to support the company's cleanup plan
- > have received grants, while some that do support it have not.
- > The companies have distributed grants totaling \$630,000 to governments and
- > community groups since October 2011, Jaffe said. The grant projects range
- > from landscaping along the river in Rutherford to holding a series of free
- > river tours for Newark residents.
- > "Funding is given for projects that are tied to the river and will help
- > improve the watershed," Jaffe said. "There is a national debate about how
- > best to address making rivers better."
- > The lower portion of the Passaic River, which slices through cities and
- > suburbs in Passaic, Bergen, Essex and Hudson counties, is among the most
- > contaminated waterways in the world. It's filled with a murky stew of
- > cancer-causing chemicals that stretch for miles.
- > Parts of the river near Newark are choked by dioxin, a byproduct of Agent
- > Orange that now-defunct Diamond Shamrock Chemicals produced for the
- > military during the Vietnam War. The companies that succeeded Diamond
- > Shamrock are not part of the group involved in planning cleanup work.
- > For years, the EPA and other environmental agencies have been studying
- > what to do about the Superfund site, which stretches for 17 miles and once
- > topped the agency's National Priority List. EPA officials say they are now
- > zeroing in on what they consider the best solutions and plan to make a
- > public proposal by the end of this year.
- > The EPA is considering three options that would focus on the most
- > polluted, 8-mile portion of the river. All would involve dredging the
- > bottom of the river and take from three to 12 years to complete. The price
- > tags range from around \$400 million to \$3.5 billion.
- > The cooperating companies are proposing an alternative that would involve
- > all 17 miles of contaminated river but would focus only on pollution hot
- > spots. Jaffe said it would be less disruptive to communities along the
- > river, cost hundreds of millions less than other alternatives and could be
- > finished in five years.
- > In their letters to the EPA, the public officials said one reason they are
- > attracted to the companies' plan is because it involves all 17 miles of
- > the river's contaminated section.
- > Sarlo (D-Bergen) — also the mayor of Wood-Ridge, which is not directly on
- > the river and received no grant money — said he signed the letter because
- > he's not happy with the EPA's study and thinks the companies' plan should
- > be taken seriously.
- > "They're looking at the entire stretch instead of having this very limited
- > focus," he said. "It should be a much wider study."
- > Wallington Mayor Walter Wargacki said he's frustrated the portion of river
- > that runs through his working-class community isn't being looked at by the
- > EPA. He said he doesn't understand how cleaning the southern part of the
- > river would be of any benefit to communities to the north.
- > "My thing is that they're focusing on eight miles of the lower Passaic
- > River — they're not extending the study up to the tidal portion," he said.

> “When I was a kid, we used to go swimming in the Passaic River. And when I
> became a teenager, you had to go home and take a shower after you go for a
> swim.”
> The mayor said he did not feel pressured to support the companies’ plans
> for a cleanup or influenced by the invitation to apply for a grant.
> The companies — which range from the Tiffany and Co. jewelry chain to the
> Otis Elevator Co. — are already starting some dredging work on the river
> in Lyndhurst on a smaller project approved by the EPA. The project is
> proof that concentrated areas of pollution can be located on the river,
> Jaffe said. “Each time we test our model in the river, we find that it is
> sound,” he said.
> EPA officials say they are overseeing how the companies conduct the study
> to make sure it follows legal guidelines and is using sound science. They
> say the companies’ plan is flawed, and that the companies’ assertion that
> it could eliminate 80 percent of the dioxin in the river has not been
> proven.
> “Doing such an approach would not give us a reduction in risk that would
> be acceptable or would be even close to” the EPA’s plans, said Ray Basso,
> director of the EPA’s Lower Passaic River Project.
> Even if the companies were able to prove the effectiveness of their
> alternative, it would need to be accepted by the EPA, which could
> implement it. Officials said reaching that point would take a lot longer
> than it will take to settle on one of the EPA’s proposed plans. The agency
> expects to have a final decision in about a year.
> “The (companies’) plan isn’t even close to the proposal-plan stage,” said
> Alice Yeh, the EPA project manager, “so they’re nowhere.”
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